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Legal Aid Bill Could Come up for Vote

By Jim Todd

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ASHLAND — A House bill that could replace most of the \$1.6 million in lost funding this year for Legal Aid services could come up for a vote as soon as Friday, says Rep. Rocky Adkins, D-Cannonsburg.

House Bill 163, which is expected to come out of the Rules Committee today, calls for increases of \$5 and \$10, respectively, in district and circuit court filing fees.

If passed, the bill is expected to generate about \$1.3 million for the four Legal Aid districts in Kentucky, which had a budget of about \$12 million last year. The program provides civil legal services for the poor and elderly.

The cuts announced this year are mostly from federal sources, which provide about 42 percent of the budget. The major cut is \$830,666 from the federal Legal Services Corp. and the second largest is \$460,000 from federal Violence Against Women Act funds. The funding shortage has caused layoffs in Legal Aid offices throughout the state, including Ashland and Morehead.

The reason for the reduction is that the poverty rate in Kentucky has declined slightly while increasing in larger states, meaning Kentucky's funding has been lowered under a federal formula.

"There is a lot of interest in this bill," Adkins said Wednesday. "The service is badly needed and I think it will pass the House. I can't speak for the Senate.

"(Legal Aid) is in such a financial crisis that a lot of offices are about to close because of a lack of funds," Adkins added. "The services they provide are essential for people in need and to keep court cases proceeding on time."

Sen. Walter "Doc" Blevins, D-Sandy Hook, said if the bill reaches the Senate, he will be surprised if the Republican majority gives it a hearing, "much less get it passed out of committee. I don't think the Republicans have been big supporters of Legal Aid in the past.

"I would be in favor of the bill," Blevins said. "But someone will call it a tax. It is an increase in fees, but we have to do something because the poor people in this state are falling on hard times with the federal government looking at what it can do to cut Medicaid.

"It's a tough time to be a poor person in Kentucky," Blevins said. "I just don't see the Republicans putting (the bill) on their front burner right now."

But Sen. Charlie Borders, R-Grayson, said Wednesday he has not seen the bill because it has not been passed in the House, but "based on the very nature of the bill I think it would have to be given very serious consideration.

"When you start talking about cutting people who provide vital public services you have to take a strong look at that," Borders said.

"I feel like it will certainly get a fair hearing if and when it comes over from the House," he said. "If it doesn't come out (from the House), I think we still will have to address the issue in the budget."

Legal Aid of the Bluegrass, which has offices in Ashland, Morehead, Covington and Lexington, assists approximately 5,000 poor and elderly people each year, including more than 500 in the Ashland area and about 1,000 in the Morehead area.

But the number of people the agency helps may be decreasing because of staffing cuts at each of the four offices, said Dick Cullison, director of Legal Aid of the Bluegrass. From last May through November, the agency has laid off a secretary in the Ashland office, a secretary and a paralegal in Morehead, an attorney and a receptionist in Covington and two attorneys and a secretary in Lexington because of a lack of funds, Cullison said.

The loss of three attorneys means at least 300 fewer people are being served by the agency, he said. And the two attorneys in the Ashland office are working without a secretary.

"I've been a director of a Legal Aid program in Kentucky since 1984 and this is the first time our funding has been cut simultaneously by every funding source," Cullison said. "We categorize it as death by a thousand cuts."

The cuts already have forced the closing of the Legal Aid office in Manchester and offices in Pikeville, Hopkinsville and Campbellsville soon may close, Cullison said. Legal Aid provides a variety of civil services, such as on cases involving domestic violence, emergency protective orders, divorces, evictions, bankruptcies, vehicle repossessions and problems with Medicare and Medicaid for the elderly.

The bill would increase filing fees in district courts to \$55.50 from \$50.50 and in circuit courts to \$118 from \$108. Even with the increases, the filing fees would be lower than all states except Arkansas.

The Kentucky Bar Association's board of governors unanimously voted in November to back the bill.